



Northeastern Illinois PUBLIC TRANSIT Task Force

December 6, 2013

Don Orseno
Interim Chief Executive Officer
Metra
547 West Jackson Blvd.
Chicago, IL 60661

Dear Mr. Orseno:

Thank you for your letters dated September 24 and October 1, 2013, in response to our letter dated September 19, 2013 and the questions enclosed therein. We appreciate the time and effort that you have already invested and continue to invest in working with us to improve and strengthen the northeastern Illinois public transit system. As we review the information that you have provided, we would appreciate clarification on some of your responses to our early questions as well as information on matters not previously raised.

Clarification on Prior Questions

3. In connection with your response to question 3, please describe the process that is followed when a conflict of interest is identified and the actions that are or may be taken to resolve such conflict.

5. In connection with your response to question 5, please provide your recommendation on whether term limits should be imposed on Directors and if so, what said term limit should be.

9., 10., 11. In connection with your response to questions 9, 10, and 11, (a) please describe with specificity the internal controls and monitoring related to employment actions or discrimination based upon political reasons or factors. In so doing, we ask that you direct us to the precise policy and page addressing this matter. In addition, please direct us to the pamphlet or material that your agency uses to disseminate policy positions that inform directors and employees that there shall be no discrimination or preferential treatment based upon political reasons or factors. Further, regarding the internal controls implemented to ensure that there is no unlawful discrimination based upon political reasons at your Agency, provided at 10(d) of your September 24 response, please provide a

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Task Force established via
Executive Order 13-06



description of the background of these controls, including when they were first implemented and the process by which they were implemented.

(b) Please provide copies of all certifications or reports made by the Executive Director of Metra pursuant to MET 10-07 during the last seven years.

(c) Please provide copies of all instances of Board consent to waiver or deviation from the agency's job posting policies pursuant to MET 10-14 during the last seven years.

14. In response to question 14, you wrote that a whistleblower may contact the "Ethics Officer" amongst other entities. For your agency's Ethics Officer, please identify (a) the process for selection and hiring the individual to hold this office; (b) the performance and factors considered for any employment action taken in connection with this position, including, but not limited to a change in salary, promotion within the office, or termination from the position; (c) identify (i) the individual currently serving in this position and (ii) the individuals to have held this position for the last seven years; (d) the background and history for this office, including the creation of the position and its enabling resolution; and (e) any reports or findings issued by this office in the last seven years. This material can be provided in a manner to redact information considered "private" under Illinois FOIA and other related laws.

15. In response to question 15, you wrote that Metra has numerous investigations, audits, analyses, or reviews potentially relevant to our request. (a) For the last seven years, please provide copies of all: (i) Procurement System Reviews; (ii) EEO compliance reviews; and (iii) any related documentation regarding DBE matters.

(b) With regards to the Hillard Heintze Inspector General Semiannual Report for 2011, please indicate whether your agency has taken any action in connection with the recommendations included therein at page 10, under the section titled "Grounding Ethics Deeply Within Metra's Culture," or at page 12, under the section titled "Conducting Internal inquiries and Enforcing Discipline." If so, describe those actions and provide copies of any related documentation.

(c) Further, in connection with Metra Requisition 49410 and Purchase Order S21424 as discussed in the memorandum sent by Alex Clifford to the

Metra Board of Directors on October 12, 2012, or any related review, please indicate the status of any assessment by Hillard Heintze of the Metra Police Department, and provide copies of the final report, memorandum, assessment or similar analysis.

16. In response to question 16, you referenced a number of ordinances. (a) Please indicate which ordinances, specifically, relate to the Blackman Kallick findings regarding (i) a lack of documentation for salary increases, (ii) a lack of correlation of performance reviews and compensation, (iii) a lack of oversight for contracts in connection with community & legislative affairs, (iv) instances of incompleteness and/or inconsistency with procurement files, and (v) a possible lack of controls for purchase orders under \$10,000.

(b) Regarding the Hillard Heintze Inspector General Annual Report for 2010, please indicate what steps your agency has taken in connection with Advisory Memoranda Nos. 2010-2, 2010-3, and 2010-4 and provide copies of any related documentation.

(c) For your agency's Chief Audit and Compliance Officer, established pursuant to MET 12-02, please identify (i) the process for selection and hiring the individual to hold this office; (ii) the performance and factors considered for any employment action taken in connection with this position, including, but not limited to a change in salary, or promotion within the office, or termination from the position; (iii) identify (A) the individual currently serving in this position and (B) the individuals to have held this position for the last seven years; and (iv) any reports or findings issued by this office in the last seven years.

(d) In connection with MET 12-31, please provide copies of any rules, minutes, reports, presentations to, findings, or work product of the (i) Audit and Finance Committee, (ii) Employment Practices Committee, and (iii) Executive Committee, related to hiring, firing, or promotions of executives or employees, and purchasing and procurement. (iv) Further, please provide copies of the Ernst & Young Executive Compensation Review of 2010 and the Blackman Kallick Risk Assessment dated November 5, 2010.

17. In response to question 17, you wrote "See Exhibit 17." Please indicate whether you intend to provide a response to items 17(g)-(i), or refer us to the responsive material previously provided.

19. In response to question 19, you wrote that Metra does not have any such rules concerning contacts between officers, employees, or directors and elected officials, or their representatives, concerning official business, but that, instead, Metra has a general practice of coordinating contacts through the Government Affairs Office. Please provide copies of any correspondence or notes, records, or logs regarding communication between the Government Affairs Office and elected officials, or their representatives, regarding hiring, firing, or promotions of executives or employees, and purchasing and procurement, during the last three years. Further, please describe any known exceptions to this general practice, and provide any correspondence or notes, records, or logs regarding communications between Metra officers, employees, or directors and elected officials, or their representatives, regarding hiring, firing, or promotions of executives or employees, and purchasing and procurement, during the last three years. The responsive material can be provided in a manner to redact information considered “private” under Illinois FOIA and other related laws.

Additional Information

1. Please provide any documents reflecting any contacts by persons outside Metra regarding the hiring and/or promotion and/or granting of salary increases (or requests for hiring, promotion or salary increases) for members of Metra’s senior Executive Team during the last five years. The materials can be provided in a manner to redact information considered “private” under Illinois FOIA and other related laws. The materials should include, but are not limited to, letters of reference and notes or memoranda or emails involving references by outside persons, including but not limited to, elected or appointed officials.
2. Please provide a comprehensive list of all internal or external investigations, audits, analyses, or related reviews of Metra or its employees during the last seven years, including, but not limited to, those conducted by the Metra Inspector General, the OEIG, RTA, Illinois Department of Transportation, and the U.S. Department of Transportation, and whether we may arrange to review these documents. This list and the subsequent materials can be provided in a manner to redact information considered “private” under Illinois FOIA and other related laws. Further, please describe the policy of Metra regarding whether reports of the Metra Inspector General are available for review by the general public.
3. Please provide copies of any records of discussions by the Metra Board of Directors during the last seven years regarding patronage or any

issues related thereto, including, but not limited to, those in Board minutes and presentations to the Board.

4. Please identify the standards and procedures that your agency employs in deciding whether to refer matters to the Office of the Executive Inspector General.

5. Please identify the reasons why people and/or entities lobby Metra. In addition, please provide any and all policies, procedures, and controls in place regarding the people and/or entities who lobby Metra.

6. Identify the agency's revolving door policies, procedures, and controls governing the relationship and interactions between the agency and current or departing board members or agency employees, specifically, but not limited to, procurement, lobbying, and other agency issues. Provide copies of any such policies, rules, regulations, or requirements and identify the date of implementation.

7. Identify Metra's revolving door policy regarding (a) current or departing board members of Metra and their service or business relationships with CTA, Pace, and RTA, and (b) Metra's relationship with current or departing board members of CTA, Pace, and RTA. Provide copies of any such policies, rules, regulations, or requirements and identify the date of implementation.

8. Identify the policies, procedures, and controls in place regarding your agency's (a) procurement process, including bidding and price tracking; and (b) communications between board members or employees and past, current, or potential vendors regarding agency business and procurement. Provide copies of any such policies, rules, regulations, or requirements and identify the date of implementation.

9. In connection with procurement, identify the policies, procedures, and controls in place regarding your agency's (a) requirements and goals regarding the involvement of Disadvantaged Business Enterprises ("DBE"); (b) public reporting and disclosure regarding the success or progress of those requirements and goals; (c) agency procedure for validating an entity's DBE status; and (d) communications by and between the agency, or board members or employees thereof, and public officials on behalf of DBEs. Provide copies of any such policies, rules, regulations, or requirements and identify the date of implementation.

10. Identify the agency's policies, procedures, and controls in place regarding debarment and suspension of individuals or companies seeking to do business with your agency, including (a) what steps, if any, the agency takes to determine if a vendor or contractor has been debarred or suspended; (b) what practices the agency undertakes to notify the relevant authorities of conduct by vendors or contractors that could lead to debarment or suspension; and (c) what procedures, if any, are in place to share such information with CTA, Pace, and RTA.

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We would appreciate your response via e-mail to Sarah.Kurmann@Illinois.gov by December 18 and value very much your assistance in our efforts to improve and strengthen the northeastern Illinois public transit system.

Thank you for your commitment to the northeastern Illinois transit system.

Sincerely,

Ann L. Schneider
Co-Chair



George Ranney, Jr.
Co-Chair

